

417(e)(1) for Qualified Retirement Plans" (RIN 1545-AW59 (TD8891)) received on July 18, 2000; to the Committee on Finance.

EC-10000. A communication from the Deputy Secretary to the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Prospective Payment System for Home Health Agencies (HCFA-1059-F)" (RIN0938-AJ24) received on July 19, 2000; to the Committee on Finance.

EC-10001. A communication from the Deputy Secretary to the Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; State Health Insurance Program (SHIP)-HCFA-4005-IFC" (RIN0938-AJ67) received on July 19, 2000; to the Committee on Finance.

EC-10002. A communication from the Chief of the Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Forced or Indentured Child Labor" (RIN1515-AC36) received on July 20, 2000; to the Committee on Finance.

EC-10003. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update" (Notice 2000-40) received on July 24, 2000; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 1586: A bill to reduce the fractionated ownership of Indian Lands, and for other purposes (Rept. No. 106-361).

By Mr. SMITH, of New Hampshire, from the Committee on Environment and Public Works, without amendment:

H.R. 1729: A bill to designate the Federal facility located at 1301 Emmet Street in Charlottesville, Virginia, as the "Pamela B. Gwin Hall".

H.R. 1901: A bill to designate the United States border station located in Pharr, Texas, as the "Kika de la Garza United States Border Station".

H.R. 1959: A bill to designate the Federal building located at 743 East Durango Boulevard in San Antonio, Texas, as the "Adrian A. Spears Judicial Training Center".

H.R. 4608: A bill to designate the United States courthouse located at 220 West Depot Street in Greeneville, Tennessee, as the "James H. Quillen United States Courthouse".

By Mr. HELMS, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 2253: A bill to authorize the establishment of a joint United States-Canada commission to study the feasibility of connecting the rail system in Alaska to the North American continental rail system; and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. SMITH of New Hampshire for the Committee on Environment and Public Works.

Arthur C. Campbell, of Tennessee, to be Assistant Secretary of Commerce for Economic Development. (New Position)

Ella Wong-Rusinko, of Virginia, to be Alternate Federal Cochairman of the Appalachian Regional Commission.

By Mr. HELMS for the Committee on Foreign Relations.

Everett L. Mosley, of Virginia, to be Inspector General, Agency for International Development.

Richard A. Boucher, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be an Assistant Secretary of State (Public Affairs).

Michael G. Kozak, of Virginia, a Career Member of the Senior Executive Service, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Belarus.

Nominee: Michael G. Kozak.
Post: Ambassador to Belarus.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, donee:

1. Self: none.
2. Spouse: Eileen Louise Kozak, none.
3. Children and spouses names: Dan B. and Laura D. Kozak, none; Alexander G. Kozak, none.
4. Parents names: George C. and Margaret L. Kozak, none.
5. Grandparents names: deceased.
6. Brothers and spouses names: none.
7. Sisters and spouses names: Susan D. and Tom Volking, none; Lucinda J. and Bruce Campbell, none.

(The above nominations were reported with the recommendation that they be confirmed subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BINGAMAN:

S. 2922. A bill to create a Pension Reform and Simplification Commission to evaluate and suggest ways to enhance access to the private pension plan system; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY (for himself, Mr. ROCKEFELLER, Mr. DASCHLE, Mr. MOYNIHAN, Mr. REED, Mr. L. CHAFEE, Ms. COLLINS, Ms. SNOWE, Mr. BAUCUS, Mr. BREAUX, Mr. CONRAD, Mr. GRAHAM, Mr. BRYAN, Mr. KERREY, Mr. ROBB, Mr. INOUE, Mr. LAUTENBERG, Mr. AKAKA, Mr. SCHUMER, and Mr. LEAHY):

S. 2923. A bill to amend title XIX and XXI of the Social Security Act to provide for Family Care coverage for parents of enrolled children, and for other purposes; to the Committee on Finance.

By Ms. COLLINS (for herself, Mr. DURBIN, and Mrs. FEINSTEIN):

S. 2924. A bill to strengthen the enforcement of Federal statutes relating to false

identification, and for other purposes; to the Committee on the Judiciary.

By Mr. THURMOND:

S. 2925. A bill to amend the Public Health Service Act to establish an Office of Men's Health; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN:

S. 2926. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to any benefit thereunder shall continue through the month of his or her death (without affecting any other person's entitlement to benefits for that month) and that such individual's benefit shall be payable for such month only to the extent proportionate to the number of days in such month preceding the date of such individual's death; to the Committee on Finance.

By Mr. FEINGOLD:

S. 2927. A bill to ensure that the incarceration of inmates is not provided by private contractors or vendors and that persons charged or convicted of an offense against the United States shall be housed in facilities managed and maintained by Federal, State, or local governments; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself, Mr. KERRY, Mr. ABRAHAM, and Mrs. BOXER):

S. 2928. A bill to protect the privacy of consumers who use the Internet; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN (for herself, Mr. HOLLINGS, Mr. INOUE, and Mr. KENNEDY):

S. 2929. A bill to establish a demonstration project to increase teacher salaries and employee benefits for teachers who enter into contracts with local educational agencies to serve as master teachers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANTORUM:

S. 2930. A bill to guarantee the right of individuals to receive social security benefits under title II of the Social Security Act in full with an accurate annual cost-of-living adjustment; to the Committee on Finance.

By Mr. MURKOWSKI:

S. 2931. A bill to make improvements to the Arctic Research and Policy Act of 1984; to the Committee on Governmental Affairs.

By Mr. LAUTENBERG:

S. 2932. A bill to amend title 39, United States Code, to provide for the issuance of a semipostal stamp in order to afford the public a convenient way to contribute to funding for the establishment of the World War II Memorial; to the Committee on Governmental Affairs.

By Mr. NICKLES:

S. 2933. A bill to amend provisions of the Energy Policy Act of 1992 relating to remedial action of uranium and thorium processing sites; to the Committee on Energy and Natural Resources.

By Mr. TORRICELLI:

S. 2934. A bill to provide for the assessment of an increased civil penalty in a case in which a person or entity that is the subject of a civil environmental enforcement action has previously violated an environmental law or in a case in which a violation of an environmental law results in a catastrophic event; to the Committee on Environment and Public Works.

By Mr. GRAHAM (for himself, Mr. GRASSLEY, Ms. MIKULSKI, Mr. BAYH, Mr. BREAUX, Ms. COLLINS, and Mr. AKAKA):

S. 2935. A bill to amend the Employee Retirement Income Security Act of 1974, the Internal Revenue Code of 1986, and the Public

Health Service Act to increase Americans' access to long term health care, and for other purposes; to the Committee on Finance.

By Mr. ROBB (for himself, Mr. DASCHLE, Mr. BAUCUS, Mr. BREAUX, Mr. DODD, Mr. DORGAN, Mr. JOHNSON, Mr. KENNEDY, Mr. KERREY, Mr. KERRY, Mr. LEAHY, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. REID, Mr. ROCKEFELLER, Mr. SCHUMER, Mr. TORRICELLI, Mr. HARKIN, and Mr. BAYH):

S. 2936. A bill to provide incentives for new markets and community development, and for other purposes; to the Committee on Finance.

By Mr. DOMENICI (for himself, Mr. WYDEN, Mr. GRASSLEY, and Mr. KERREY):

S. 2937. A bill to amend title XVIII of the Social Security Act to improve access to Medicare+Choice plans through an increase in the annual Medicare+Choice capitation rates and for other purposes; to the Committee on Finance.

By Mr. BROWNBACK (for himself and Mr. SCHUMER):

S. 2938. A bill to prohibit United States assistance to the Palestinian Authority if a Palestinian state is declared unilaterally, and for other purposes; to the Committee on Foreign Relations.

By Mr. GRASSLEY (for himself, Mr. ROCKEFELLER, Mr. JEFFORDS, and Mrs. LINCOLN):

S. 2939. A bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for energy efficient appliances; to the Committee on Finance.

By Mr. HATCH:

S. 2940. A bill to authorize additional assistance for international malaria control, and to provide for coordination and consultation in providing assistance under the Foreign Assistance Act of 1961 with respect to malaria, HIV, and tuberculosis; read the first time.

By Mr. HAGEL (for himself, Mr. KERREY, Mr. ABRAHAM, Mr. BREAUX, Mr. DEWINE, Mr. GORTON, Mrs. HUTCHISON, Ms. LANDRIEU, Mr. SMITH of Oregon, and Mr. THOMAS):

S. 2941. A bill to amend the Federal Campaign Act of 1971 to provide meaningful campaign finance reform through requiring better reporting, decreasing the role of soft money, and increasing individual contribution limits, and for other purposes; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FITZGERALD (for himself, Mr. LIEBERMAN, Mr. HAGEL, Mr. HELMS, and Mr. LUGAR):

S. Res. 343. A resolution expressing the sense of the Senate that the International Red Cross and Red Crescent Movement should recognize and admit to full membership Israel's Magen David Adom Society with its emblem, the Red Shield of David; to the Committee on Foreign Relations.

By Mr. MCCAIN (for himself and Mr. GORTON):

S. Res. 344. A resolution expressing the sense of the Senate that the proposed merger of United Airlines and US Airways is inconsistent with the public interest and public

convenience and necessity policy set forth in section 40101 of title 49, United States Code; to the Committee on Commerce, Science, and Transportation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN:

S. 2922. A bill to create a Pension Reform and Simplification Commission to evaluate and suggest ways to enhance access to the private pension plan system; to the Committee on Health, Education, Labor, and Pensions.

THE PENSION REFORM AND SIMPLIFICATION COMMISSION ACT

Mr. BINGAMAN. Mr. President: I rise today to introduce legislation calling for the establishment of a Pension Reform and Simplification Commission. The legislation derives directly from conversations I have had with constituents and experts on three key issues.

First, there is the problem related to the current cost and complexity of private pension plans. In my view current regulations place an unnecessary burden on small and medium business as they attempt to adopt pension plans. Indeed, even the most simple plans are often so complicated in form and function as to be incomprehensible to an everyday businessperson.

Second, there is the problem involved in coverage. Although over-all pension coverage may be consistent over the last decade and the assets of private plans have been on the increase, my concern is with those individuals of low to moderate income who are being left out of the private pension plan equation. As companies move toward cheaper plans—401(k)s being a salient example—and feel less obligated to offer defined benefit-type plans, individuals who do not have the extra money to contribute to their pension plans are unable to benefit from a plan's availability. This is if a plan is available at all, and in many cases it is not.

Third, there is the problem of what kind of private pension plans are best suited for the so-called "New Economy". Clearly there is considerable debate as of late in terms of what kind of private pension plans should be offered so as to increase saving, decrease mobility, provide opportunity, enhance entrepreneurship, and so on, all of which is apparent in the rise of hybrid pension plans. My foremost concern here is that Congress now finds itself reacting to innovative private pension plans rather than being pro-active in their creation.

Mr. President, in 1974, Congress passed the Employee Retirement Income Security Act, known by most people by its acronym of ERISA, our intention at the time being twofold. First, we wanted to protect the assets held in private sector retirement plans. Second, we wanted to create uniform rules that govern how these plans will

be implemented in each and every state.

From most accounts we have accomplished these two goals. There is no question that ERISA has flaws that must be addressed—and I will discuss these in detail later—but for all these flaws ERISA was extremely significant in that it reaffirmed the government's commitment to the importance of retirement plans for all Americans. Furthermore, it created a comprehensive framework in this country under which the expansion of private retirement plans could occur. Equally important, the mechanisms it established for personal saving has added trillions of dollars in available investment capital over the last decade alone, fueling in a very tangible way the unprecedented economic growth that we are seeing right now.

But for all the praise ERISA receives, it is also criticized widely and, in my opinion, correctly on a number of counts. For this reason, it is time to seriously re-evaluate whether it is addressing the needs and concerns of all Americans. It is time to examine whether it fits the demands of a changing, global, "new" economy.

As a specific example of these problems, the adoption of piecemeal, narrow, and complicated statutes and regulations in the 26 years since ERISA's implementation has made substantial portions of our retirement system inefficient, expensive, and oftentimes incomprehensible to anyone wishing to use it. It is well-known that we continue to add provisions and plans with no effort at all to make them internally compatible. We may have a broad vision about what we want to do with retirement policy in this country, but we instead of revising retirement policy in a comprehensive and strategic manner, we simply add new ideas and language incrementally, hoping they will appeal to businesses who wish to offer them to their employees.

Sadly, the end result is that for many businesses the cost of compliance with ERISA regulations—the administrative and professional costs of qualification—rival and even outweigh the costs of providing the benefits themselves. This, in turn, has led to a decision by many business owners that they can no longer afford to offer retirement plans to their employees, this in spite of their desire to do so. For these people, the current rules burden the system beyond the benefits they provide. This has to change.

But the cost and complexity I have just mentioned has had a corollary effect, that being a lack of access to pension plans on the part of low- and middle-income workers, women and minorities in particular. Rightly or wrongly, one of the foremost criticisms directed toward ERISA is that it has accelerated the demise of traditional defined benefit pensions and increased